

**ZONING BOARD OF APPEALS
SATURDAY, OCTOBER 13, 2012
4:00 P.M.**

Present: Chairman Ogden Lewis, T. David Mullen, Alexander Ames, Robert Treuhold, and Village Attorney Richard DePetrìs

Absent: Charles Mott, Brendan Ryan

1) Mr. Lewis brought the meeting to order and announced that the next meeting would be on Saturday, November 10, at 4:00 PM. He asked if any one was present for the application of **81 Dune Road**. Since no one was present, Mr. Lewis indicated that the matter would be held over to the next meeting.

2) Next, Mr. Lewis moved to approve the minutes of the 9/08/12 Zoning Board meeting. **DECISION: MR. LEWIS MOVED TO APPROVE THE MINUTES OF THE SEPTEMBER 8, 2012 MEETING. MR. AMES SECONDED THE MOTION. THE MOTION WAS UNANIMOUSLY CARRIED.**

3) Mr. Lewis explained that since the holdover application of **Steven Holley** was being revised, it would be considered at the next meeting.

4) The first matter on the afternoon's agenda was the application of **Christopher and Jacqueline Keber** for a rear yard variance to 57.4 feet in order to permit proposed screened porch and patio addition to existing house. Premises are known as **2 Old Point Road. TM #902-5-1-17**

Attorney **Jane Kratz** was present for the applicants, along with their architects **Jay Sears** and **Sal Iannone**. Ms. Kratz submitted a certificate of occupancy from July 1962 for the 50 year old subject house which showed the patio that they wanted to replace in a new proposed location. The Kebes were requesting a variance for a small screened porch immediately off the kitchen. Mr. DePetrìs explained that since it was not a roofed patio, and it was attached to the house, the code had a provision in it giving the patio an accessory setback. Therefore, the patio part of their application was withdrawn. In reference to the screened porch, Mr. Sears explained with the use of photos and renderings, their proposed changes. He explained that their hardship was that their property was a corner parcel having two front yards with 60 foot setbacks, one from Montauk Highway, and the

other from Old Point Road, as well as a rear yard setback of 70 feet. When the original house was constructed in 1962, it was placed very close to the rear yard setback. He explained that the screened porch would also have panels put up during cold weather. He also explained that there was a buffer of trees, about 30 feet high, screening the neighbor to the west, from whom they had received a letter of approval. He explained that the proposed screened porch was 330 SF. indicating that 266 SF. of the porch would be non-conforming. In reference to the garage, Mr. Sears explained that there would not be any living quarters in the garage. It would house cars.

Margaret Rappaport, the owner of the vacant land adjacent to the subject property, questioned whether, if there were any other changes made to the structure, would they have to come back to the board for a variance. The chairman said they would. She questioned what kind of enclosure would be used on the screened porch for the winter. Mr. Sears explained that there would be clear fiberglass panels to block the cold air, but still give visibility. The board explained that anyone attempting to enclose the porch with solid walls would have to come back to the Zoning Board for a variance.

DECISION: MR. LEWIS MOVED THAT THE KEBER APPLICATION BE GRANTED. MR. AMES SECONDED THE MOTION. THE MOTION WAS UNANIMOUSLY CARRIED.

5) Next, the Chairman moved to re-open the prior application of **John and Susan Bick** for reconsideration along with their new application.

DECISION: MR. LEWIS MOVED TO RE-OPEN THE BICK APPLICATION TO HAVE ONE HEARING ON ALL MATTERS. MR. AMES SECONDED THE MOTION. THE MOTION WAS UNANIMOUSLY CARRIED.

Attorney **Kittric Motz** was present for the applicants, along with her client, **Mrs. Bick. David Stanton**, the applicant's architect, was also present. Ms. Motz was also presenting information concerning their new application for a front yard variance to 25.2 feet from Ocean Avenue in order to permit proposed garage. Premises are known as **87 Quogue Street. TM #902-10-2-33**

Attorney Motz explained that they slid the cottage over, as per the board's request, which caused a displacement of the previously conforming garage location. They switched the garage location with the location of the cottage. The proposed garage is now 25.2 feet from Ocean Avenue. They have also reduced the patio area putting their proposed lot coverage at 21.99%. She showed the board where two small portions of the patio were outside the accessory structure. With regards to the garage portion of the proposal, Ms. Motz wanted it noted that if her client's property was not a corner lot, the location of the garage would be conforming. It is conforming in all other respects. She felt that in prior presentations all other aspects of the application had been discussed. She noted that there were elevations of the garage in her packet that she had submitted to the board. Mr. DePetrus noted that the survey filed by attorney Motz with her October 4th letter showed the setback from Ocean Avenue of the patio at 56.1 feet, but that figure was not present

on the survey she was submitting that evening to the board. Ms. Motz explained that she was not aware that it was not on the survey, but she was sure had asked to have the footage included. The board decided to use that stamped survey as the official survey for any further reference. In reference to the basement height, Ms. Motz proposed a covenant be placed in the file indicating that the basement could not be converted to habitable space without permission from the board. The board suggested the basement height be limited to 8 feet with the covenant in force. Ms. Motz agreed.

DECISION: MR. LEWIS MOVED TO GRANT THE REVISED FRONT YARD VARIANCE TO 56.1 FEET FOR THE PROPOSED PATIO, A FRONT YARD VARIANCE TO 49.4 FEET FOR THE RELOCATION OF THE GUEST HOUSE AND A FRONT YARD VARIANCE TO 25.2 FEET FOR THE PROPOSED GARAGE, A VARIANCE TO 21.99% FOR LOT COVERAGE, ALONG WITH ALL VARIANCES AS LISTED IN THE INITIAL APPLICATION THAT HAD NOT CHANGED IN TERMS OF THE MAIN RESIDENCE SUBJECT TO THE COVENANT THAT THE BASEMENT NOT BE MORE THAN 8 FEET IN HEIGHT OR BE USED FOR HABITABLE SPACE. MR. AMES SECONDED THE MOTION. THE MOTION WAS UNANIMOUSLY CARRIED.

Respectfully submitted by:  File date: 10.19.12